App. F. IX-4

Previous References
Legis 5-15 (1-3)
4-33 (1-3)

1933
(Legs)

File No. 25-33
Serial Nos. 1-3

Later References

PRESERVED (70)

GENERAL AND REVENUE SECRETARIAT.

A collection

Serial Nos.

Manuscript Part ~~B~~ A for ge

SUBJECT.

Bill further to amend the Criminal Tribes Regulation (Regn No XIV of 1933)

M Iyengar
27/4/33

Govt. for consolidating the law relating to Criminal Tribes.

General and Revenue Secretariat

File No. 135 Leg. 23-53 of 1932. [App. F. III—2

Serial No.

From

The D. G. Of P. & T.

Letter no C. 398/C 1. D/32-33 dated 9. 1. 33 stating that the Govt of India Act III of 1911 and I of 1923 upon which the Criminal Tribes Regulation VII of 1916 and X of 1925 of Mysore are based, were consolidated in 1924 and amended in 1925 with the result that some important provisions of law have been added and several of the amendments have been omitted and that these changes have not been adopted in Mysore and forwarding a typed draft of the Regulation revised so as to include all the changes made in the British Indian Act VI of 1924 & XXXIII of 1925, for being adopted in Mysore.

1) The changes made in the British India in this respect in 1924 & 1925 acts are detailed in para 2 of the D. G. Of P. & T. letter.

They are briefly:-

1) Omission of Sub sections (1) & (3) of Section 2 and section 28 B of our regln. containing the definition of Criminal tribes etc separately. The definition is added to the relevant Sections 3, 5 & 15 etc.

2) Two more subsections under Section 10 has been added so as to make the section automatic work when C.T. members change their residence.

3) A proviso has been added to the Section 24 to make the meaning of the words "second & third Convictions" clear.

Proposal for consolidating the law relating Criminal Tribes

G.C. File No. 135 25 of 193 7

General and Revenue Secretariat

Except for the above changes the Regln is left intact.

The I. G. of Police has proposed that the Regln VII of 1916 & X of 1925 may be repealed in view of adopting a consolidated Regulation "Regulation of 1933" and two saving clauses have been added as Sections 31

The changes and additions proposed have been indicated in pencil in the draft Regln with ref to the British Indian Acts

Submitted for orders. PS fil 24-23

7/1/33 -1-3 containing the amendment of 1924 is put up herewith & copy of the Regn with amendments is pursued and the sections of the Br Indian Acts are indicated in pencil each clause of draft Bill

unrepealed acts not (1922-1925)

2) The I.G. of Police has proposed the amendment and consolidation of the Criminal Tribes Regulation on the lines of the British Indian Act of 1924. Act III of 1911 in British India was amended by Act I of 1923. Subsequently a consolidated Act was passed by Act VI of 1924 replacing the old Act. This was further amended by Act XXXIII of 1925. The Mysore Regulation now in force is No. VII of 1916. The amendments comprised in Act I of 1923 were embodied into our Regulation by Regulation X of 1925. Thus, in our law

Serial No.

the amendments brought about in Act VI of 1924 and XXXIII of 1925 have not been embodied. The I.G.P has proposed that we might also pass a complete consolidating Act as has been done in British India. He has also sent a draft Bill.

A complete amendment and the introduction of a new Act have certain inconveniences. All the sections including those which do not mean amendments are proposed are subject to attack in the Legislative Council and the select committee. The consideration of all the sections in several stages will be laborious. It is therefore suggested that we might adopt only the substantial changes brought about by the British Indian Acts of 1924 and 1925 by introducing an amending Bill.

so as we found in working the same Bill

A majority of changes in the Act of 1924 are merely verbal. The substantial changes are only few.

1. The inclusive definitions of " Criminal Tribe" and " Tribe, gang or class" have been omitted and wherever these words occur in the several sections in the old Act, they have been expressed in extenso. It seems to be unnecessary for us to adopt this change.

2. There are some minor verbal changes in sections 11 and 12. In the bill as proposed by the I.G.P. the suitability of the restriction area and the adequacy of arrangements for the residence of the tribes are to be brought under section 11 which requires a report from the Inspector-General whereas in the present Regulation they are matters to be taken into consideration by the Government under section 12 before passing an order.

Peramdre

WD 70—GBPM—60,000—13-8-31.

3705

4 Bill for amending the Criminal Tribes Regulation

File No. 135 Legs 25 of 1932

General and Revenue Secretariat

It does not seem to be necessary to make it obligatory by statute for the I.G.P to report on the suitability of the restriction area or adequacy of the arrangements since the Government can always call for reports on these matters before they pass an order under section 12. It seems to be unnecessary to adopt the change.

3. Substantial change has been made in section 10. by adding sub/sections 2 and 3. It provides for the automatic application of the Regulation and the rules thereunder where a criminal tribe which has been registered in one district changes its residence to another district. This amendment may be adopted.

4. In section 24, a proviso has been added making it clear whether convictions prior to Regulation of 1916 may be taken into account in regard to the enhancement of of sentence. This amendment may also be adopted.

3) A draft Bill incorporating the amendments under sections 10 and 23, with a Statement of objects and reasons is put up for consideration.

4) There seems to be no urgency about this Bill. It may be placed before the October session of R.A and introduced in the December session of the L.C. Since the life of the present R.A and L.C ends in June next, it is perhaps advisable to place fresh legislation before the re-constituted Houses. On this ground the Dewan has recently declined to give permission to the introduction of a private Bill before the R.A. Further the June session will be full budget ~~session~~

Chief Secretary

RG

25/4

26/4 Ltee 1/5

OFFICE OF THE ... LEGISLATIVE COUNCIL ... No. 9120

CHIEF SECRETARY. 26 APR. 1933

GENERAL SECRETARIAT 1 - MAY 1933 No.

Bill further to amend the Criminal Tribes Regulation

General and Revenue Secretariat

File No. 135 of 1932

[App. F. III—2

Serial No.

5) Memo in reply may be sent to the I.G.P. for his remarks suggestions, if any

4/57

4/5/33

U.O.no 578-32 P dt 6-5-33

6) Forwarded with compliments to the Inspector General of Police unofficially for favour of opinion & suggestions if any, on the draft bill placed below.

By order

for Chief Secretary to Govt.

7) RETURNED WITH COMPLIMENTS:-

There is no objection to the introduction of an amended bill in place of a consolidated bill.

2. The minor alterations under Sections 3, 4, and 5 are intended to make clear the meaning of the act in consequence of the difficulties that have arisen.

3. The verbal changes in Sections 11 and 12 are intended to inhibit the restriction of the movements of any tribe or part thereof to an area which is unsuited for the purpose and in which the tribe cannot gain its livelihood.

INSPECTOR GENERAL OF POLICE.

11/5/33

NOTE—Contn. Sheet.

WD 0246 -GPB—15,000—22-8-32

Bill to amend the Criminal Tribes Reg

Pol ~~File No.~~ of 193-2. General and Revenue Secretariat

1) Notes with refer to paras 4, 5 & 7.

1881.

2) The I.G.P has no objection to the introduction of an amended Bill. Re verbal changes in sections 3, 4 & 5 expanding the terms 'criminal tribe' and 'tribe, gang or class' seem to be unnecessary. We may retain as at present in the definition section itself the expanded or technical meaning of the terms.

The change proposed in Secs 10 & 11 are also not necessary. They lay down the procedure to be adopted when it is considered expedient to restrict the movements of a tribe. According to the present sections the I.G.P has to report to the Govt the necessity for imposing restrictions, the particulars of the area of restrictions etc. After consideration of the report Govt passes order under Sec 10 & one of the points the Govt has to take into consideration is the suitability of the restriction area & the adequacy of the arrangements for the residence of the tribe. Now under the proposed amendment this last step of consideration about the suitability etc is brought under Sec 11 so that the I.G.P has

Amending Criminal Tribes Regulation

General and Revenue Secretariat | Pol File No. 135 Pages 1933 of 1932 | [App. F. III—2

Serial No.

to report about them. This change not very essential since the Govt will in any case call for a report from the D. G. P. about suitability etc before passing orders under Sec 12.

10) Only Secs 10 & 24 need amendment. The draft bill amending these two Sections is submitted for [illegible]

10 MAY 1933

Chief Secretary)

I agree. May also be sanctioned in the Law Dept

Reg 16/5

11) I have compared the draft bill with the Act as in force in Br. India. The verbal changes made in that Act are more of deleting the definition of a "tribe" etc and incorporating it in each & every section of the Act itself where the word occurs and of omitting similarly the expanded meaning given to "Criminal tribe" under Sec 28 A occurring in certain sections & incorporating them in the sections themselves. These amendments appear to be unnecessary and do not help to make the meaning any the more clear. If it is a Consolidating Act that had to be passed, such changes may perhaps be desirable. There is also no need to amend 11 and 12.

13) The draft Bill is in order may be approved

Gen Secy)

26 MAY 1933

14) Submitted with Compts

15) Reg 31/5/33

NOTE—Contn. Sheet.

WD 0246 -GPB—15,000—22-8-

Bill to amend the Criminal Tribes Reg.ⁿ

893

File No. 135 of 1932

General and Revenue Secretariat

Re. Index note refers to paras 5 and 7

Bom NSR
11/

1st Number)

Ce
6/6/33

DEWAN'S OFFICE
9/6/26
JUN. 1933

OFFICE OF THE FIRST MEMBER OF COUNCIL
7 JUNE 1933
No. 10092

may be approved ~~c. 4 f~~ c. (9/ Points
two should please be referred to L.C.
in ~~October~~ Dec.ʳ after Marine Bill and Samuels speech
Please submit to Dewan by
7/6/0

Dewan

RG
8/6/33.

Ce 9/6/33

MWC
10/6/33

4.12/6

Third reply is invited to para (b) of G.O
of 16.7.1930 (Heavy F). No matter has to
be considered in Council

Bom NSR.
13/6

Chief Secretary)

Ce
13/6/33

CS)

19/6/33.

4.19/6

For Disposal by Circulation. No. C.293

1932/33

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject.

Bill further to amend the Criminal Tribes Regulation 1916.

Circulated to the Members of Council.

By Order,

R. Ranga Rao

20th June 1933 *Chief Secretary to Government.*

First Member of Council. 21/6/33

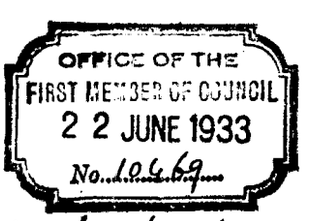
Second Member of Council. SPR 21/6

For favour of a final note,

~~Third Member of Council.~~

First Member.

RJ 22/6/33



S. N. put up.

Will a secretariat please keep up? RJ Objections and reasons required and modifications 25/6

Decision

T. N. Signed by Members. RJ 3/8

CCB 2/8/33

Bill to amend the Criminal Procedure Regulation, 1926

General and Revenue Secretariat	File No 95 of 1933.	[App. F. III—2

Serial No.

Statement of object & reasons is awaited & resubmitted

First Member) 7/7/33

3. 4. 33

Done.

31/7 (2nd Member) 4/8/33

OFFICE OF THE FIRST MEMBER OF COUNCIL
1 AUG. 1933
No. 996

Bill to amend the Criminal Tribes Regulation. 1916

File No. 25 of 193 J. | General and Revenue Secretariat

S. N. put up.

Dewan)

DEWAN'S OFFICE 6065 4 AUG. 1933

RR 4/8/33.

mmll 4/8/33

Final Note by the First Member of Council.

Subject:—

A Bill further to amend the Criminal Tribes Regulation, 1916.

This Regulation which has been in force since 1916 is based on the Government of India Act of 1911. The British Indian Act of 1911 has been replaced by a fresh Act of 1924 which has subsequently been amended by Act XXXIII of 1925.

The Inspector General of Police has suggested the desirability of modifying certain sections of our Regulation in order to bring the law in Mysore on a line with that in British India. For this purpose a draft of a Bill further to amend the Regulation of 1916 has been prepared. The amendments proposed are in respect of Sections 10 and 24.

3&9 The Bill has been agreed to by the Dewan and the Second Member of Council also.

I solicit the gracious sanction of His Highness to place the statement of Objects and Reasons explaining the scope of legislation proposed before the Representative Assembly and thereafter in due course to place the Bill itself before the Legislative Council.

Bangalore,
2nd August 1933.

MEMBER OF COUNCIL.

Submitted to H.. Highness.

I submit herewith a Final Note by the First

Member of Council regarding a Bill further to amend

the Criminal Tribes Regulation, 1916,

for His Highness gracious approval.

M Hussain Khan

OFFG. *Dewan.*

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Bill further to amend the Criminal Tribes Regulation, 1916.

General and Revenue
Secretariat

Bill further to amend the Criminal Tribes Regulation 1918

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

12/1/1934

FIRST MEMBER OF COUNCIL.

SECOND MEMBER OF COUNCIL.

11/8

12-8-33

NOTE.—Contn. sheet

B.A for the to amend the Criminal Tribes Act

General and Revenue Secretariat | File No. 3775/33 | of 1933 | [App. F. III-1-27

Serial No.

For orders as to whether the statement of O.T.R. may be forwarded to the R.A. Secy. for being placed before the R.A during the ensuing session

Form 10/8/33 MSL

TYPING SECTION 14 AUG. 1933 GENL. & REV SECTT

Typing section for directly typing 4 copies of 5 of G MSL 14/8/33

Extra copies of statement of Objects & Reasons are placed on the file. These will be sent to R.A. office after approval

Form 15/8 4/5/8

Three copies taken & file ret'd 17/8/33

R.A. Secy ✓

The statement was discussed in the R.A on 30.9.33 and approved by it

It is for consideration whether the Bill may be introduced into the Legislature the ensuing session of the L.C in case may perhaps be last and in which case this Bill has to be introduced after previous publication and passed at one sitting. It has no bearing on any pre-rendition measure and

NOTE—Contn. Sheet.

5105 33

Bill to amend the Criminal Tribes Act

File No. 25 of 1933

General and Revenue Secretariat

and the consent of the Govt of India for the passing of the Bill into Law is not necessary.

Bill may be introduced into the L.C. at a December Session & passed at one sitting. It may be ordered to be published under Rule 8.

(for Member)

6
5/10/33

Ex 5/10/33

RT
6/

MS
9-10-33

DEWAN'S OFFICE
2363
1 - OCT. 1933

OFFICE OF THE FIRST MEMBER OF COUNCIL
5 OCT 1933
No. 2662

now be sent to the L.C. Office for taking action to publish the Bill under Rule 8 of the L.C. Rules of business.

Secy. to Govt.

Supt. L.C. Office with Copies

RSK

WJ 11/10/33

Three copies of the Bill may now be put for taking further action

Secy. to Govt.

11/10/33

Please [illegible] of the Bill

PRINTING SECTION
12. OCT. 1933
SECRETARIAT

General and Revenue Secretariat

File No. 25 of 1932.

Serial No.

Bill to amend the Criminal Tribes Act

Extra copies of Bill (Cyclostyled) are receiving put up. The Statement of Govt Principles placed before the L.A may be adopted by the Statement of Objects & Reasons (vide original Flag 3)

There will be send to L.C Office after approval for taking action to publish the Bill under Rule 8

Bom Sec
14/10

Three copies of the Bill file para

16/10/33

(Post to be in Pt. cumpts)

Send with draft forwarding copies of the Bill to the Residency

Bom
16/10

Issue
to
17/10/33

No Pol 419 of 24.10.33

The Secretary to the Resident forwards copies of the Bill and states that the Bill will be introduced into the Council at

19 Bill to amend the Criminal Inv. & Reg.

File No. 29- of 1933.

General and Revenue Secretariat

Copies of the Bill published under rule 8 of the L.C. Rules of Business have been forwarded to the Residency and the following motions are suggested for being included in the Agenda for the next meeting of the Legislative Council.

(1) Robinson that the Bill published under Rule 8 of the L.C. Rules of Business be read in Council.

(2) Robson that the Rules of Business be suspended and that the Bill be taken into consideration at once either referring it to a select committee and passed

Haven the First Member of Executive - the Chief Secy to Govt

Bill to amend Criminal Rules Reg'n 20

General and Revenue Secretariat | Leg. File No. | [App. F. III—2

Serial No.

No 10483 Pl 9.11.33

From

The Secy to the Resident, States that there is no prima facie objection to the introduction of the Bill in the Legis Cl

Submitted for perusal.

The necessary motives in respect of the Bill have been included in the Agenda for the next meeting

Done
11/11

11/11/33

At the meeting of the Legis Cl held on 18.12.33 the Bill was finally passed

D. C. N. Subd

DEWAN'S OFFICE 4134 11 DEC. 1933

OFFICE OF THE FIRST MEMBER IN COUNCIL 22 DEC. 1933 No. 4921

NOTE—Contn. Sheet.

Final Note by the First Member of Council.

Subject

Bill further to amend the Criminal Tribes Regulation, 1916.

Pages 12 & 14 of Office Notes

Gracious sanction of His Highness was accorded in August 1933 to place the statement of Objects and Reasons of a Bill further to amend the Criminal Tribes Regulation, 1916, before the Representative Assembly. This was done at the last Dasara Session of the Assembly and the Bill itself was introduced into the Legislative Council after previous publication on the 18th December 1933. The amendment being a simple one the Legislative Council took up the consideration of the Bill by suspending the Rules of Business and passed the Bill finally.

I now solicit gracious approval of His Highness to the promulgation of the said Bill as law.

Camp Bhadravati,
23rd December 1933.

MEMBER OF COUNCIL.

Submitted to His Highness.

I submit herewith a Final Note by the First Member of Council regarding bill further to amend the Criminal Tribes Regulation, 1916,

for His Highness' gracious approval.

Mirza M. Ismail
Dewan.
28-12-33

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation as law of the Bill further to amend the Criminal Tribes Regulation, 1916.

Order.

~~KRW~~

29/12/33

General and Revenue
Secretariat

Promulgation as laws of the Bill further to amend the Criminal Tribes Regulation, 1916

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

R. Raval

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

FIRST MEMBER OF COUNCIL./On leave)

4076
21/1/24

SECOND MEMBER OF COUNCIL.

NOTE.—Contn. sheet.

Rejnkaown XIV of 1933 253/25

General and Revenue Secretariat

File No.

of 1933

[App. F. III—

erial No.

Draft G.O publishing Tm Regn further to amend Tm Cr Triberes Regn as Regn No XIV of 1933 is laid

m 1.34 SR

Jm 457/1/34

TYPING SECTION 6 JAN 1934 GENL. & REV. SECTT.

G.O No P 3192 Dt 6.1.34

Tm Compiler,

Publishes Tm Regn to amend Tm Criminal Tribes Regn as Regn XIV of 1933

Printed copies received on proofs to be forwarded separately by

A Dell 5.3.34

Note on the Bill further to amend the Criminal Tribes Regulation. 1916.

The Criminal Tribes Regulation, VII of 1916, is based on the British Indian Act III of 1911 as amended by Act X of 1914. The Act of 1911 was further amended by Act I of 1923 and the amendments therein were adopted in Mysore by Regulation X of 1925. The British Indian Act of 1911 has been replaced by Act VI of 1924 which has been subsequently amended by Act XXXIII of 1925.

The principal change made in British India is the addition made to Section 10 by the amending Act of 1925. It is designed to express more clearly the law on an administrative point relating to the working of the Regulation. It also provides for the automatic application of the provisions of the Regulation and the Rules made thereunder when a member of a Criminal tribe, in respect of which a Notification under Sec. 10 has been issued changes his residence to another district. Section 10, as it stands at present, reads as if the two restraints which can be imposed thereunder are alternative. The amendment makes it clear that either or both the restraints may be imposed.

According to Section (4), the District Magistrate registers the members of a criminal tribe within his district; and when Government issues a Notification under Sec. 10, a member of a criminal

Statement of Objects and Reasons.

The Criminal Tribes Regulation, VII of 1916, is based on the British Indian Act, III of 1911 as amended by Act X of 1914. The Act of 1911 was further amended by Act I of 1923 and the amendments therein were adopted in Mysore by Regulation X of 1925. The British Indian Act of 1911 has been replaced by Act VI of 1924 which has been subsequently amended by Act XXXIII of 1925

The most important change made in British India is the addition made to section 10 by the amending Act of 1925. It provides for the automatic application of the Regulation and the rules made thereunder where a member of a Criminal Tribe, in respect of which a notification under Section 10 has been issued changes his residence to another district. It also provides for the transfer of the relevant entries in the register to the Superintendent of Police of the latter district.

The only other change of consequence brought about by the British Indian Act is in Section 23 which corresponds to section 24 of the Mysore Regulation intended to make the meaning of the expressions 'second conviction' and 'third conviction' appearing therein clear and free from doubt.

It is desirable to bring our Regulation into line with the law in British India. It is therefore proposed to amend Regulation VII of 1916, [~~as in the accompanying Bill~~] adopting the substantial changes made in the Act in British India.

For General Secy to Govt

POLICE DEPARTMENT

1 2603/32
P 032
Pol 135=32-4

Tel. Address
"ALACRIS"
PHONE No. 298

When replying please quote
No. C. 398/C1.8
-32-33

OFFICE OF THE INSPECTOR GENERAL OF POLICE
IN MYSORE.

Dated Bangalore, January 7, 1933.
9

Encl. 3.

From

F. A. HAMILTON, Esq., C.I.E.,
Inspector General of Police in Mysore,
BANGALORE.

CHIEF SECRETARY
Pol
10 JAN 1933

To

R. RANGA RAO, Esq., B.A., B.L.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

SIR,

I have the honour to state that the law relating to criminal tribes in Mysore is contained in Regulation VII of 1916 as amended by Regulation X of 1925 which was based on the British Indian Act I of 1923. The Government of India Act III of 1911 upon which the Mysore Regulation of 1916 has been based was consolidated in 1924 and amended in 1925 with the result that not only several of the amendments adopted in 1923 h a v e been omitted but some important provisions of law have also been added. As these changes have not yet been adopted in Mysore, our law is not in conformity w i t h the British Indian law.

2. The important changes effected in the British Indian law are:-

1. The definition of the words "Criminal Tribe" and "Tribe, gang or class" contained in Section 2 and Section 27 B, which corresponds to Section 28 B of the Mysore Regulation, is omitted and relevant portions of these de-finitions are added to the respective sec-tions so as to make them self contained.

2. Section 10 has been amended so as to permit the application of both the res-trictions contemplated in Clauses (a) and (b) to a criminal tribe. By the addition of two more clauses to this Section the provisions of the Act and the rules made thereunder are made to operate automatically even when members change residence to districts other than the one in which they were registered.

3. Section 23 corresponding to Section 24 of the Mysore Regulation has been amended so as to make the meaning of the expressions "Second conviction" and "third conviction" appearing in this Section clear and free from doubt.

3. A typed copy of the Regulation revised so as to include, as far as possible, all the changes in the British Indian Act VI of 1924 as amended by Act XXXIII of 1925 is herewith enclosed for necessary action being taken to bring the law relating to criminal tribes in Mysore into line with that in British India.

I have the honour to be,

Sir,

Your most obedient servant,

INSPECTOR-GENERAL OF POLICE.

REGULATION NO. OF 1933.

A Regulation to consolidate the law relating to Criminal Tribes.

WHEREAS it is expedient to consolidate the law relating to Criminal Tribes: It is hereby enacted as follows :-

PRELIMINARY.

1. (1) This Regulation may be called the Criminal Tribes Regulation, 1933;

and extent.

Section 1 of Act VI of 1924.

(2) It extends to the whole of Mysore; and

(3) It shall come into force at once.

Definition.

Section 2 of Act VI of 1924

2. In this Regulation, unless there is anything repugnant in the subject or context,

x(1) omitted

"prescribed" means prescribed by rules made under this Regulation.

x(2) omitted.

NOTIFICATION OF CRIMINAL TRIBES.

Power to declare any tribe, gang or class a Criminal Tribe.

Section 3 of Act VI of 1924

3. If the Government has reason to believe that any tribe, gang or class of persons, or any part of a tribe, gang or class, is addicted to the systematic commission of non-bailable offences, it may, by notification in the official Gazette, declare that such tribe, gang or class or, as the case may be, that such part of the tribe, gang or class is a criminal tribe for the purposes of this Regulation.

REGISTRATION OF MEMBERS OF CRIMINAL TRIBES.

4. The Government may direct the District Magistrate to make or to cause to be made a register of the members of any criminal tribe, or part of a criminal tribe, within his district.

Registration of members of Criminal Tribes

Section 4 of Act VI of 1924.

5. Upon receiving such direction, the District Magistrate shall publish notice in the prescribed manner at the place where the register is to be made and at such other places as he may think fit, calling upon all the members of the criminal tribe or part, as the case may be

(a) to appear at a time and place therein specified before a person appointed by him in this behalf;

(b) to give to that person such information as may be necessary to enable him to make the register; and

(c) to allow their finger-impressions to be recorded:

Provided that the District Magistrate may exempt any member from registration and may cancel any such exemption.

Procedure in making register.

Section 5 of Act VI of 1924

6. The register, when made, shall be placed in the keeping of the Superintendent of Police, who shall, from time to time, report to the District Magistrate any alterations which ought in his opinion to be made therein, either by way of addition or erasure.

Charge of register.

Section 6 of Act VI of 1924

7. (1) After the register has been

Alterations in register

Section 7 of Act VI of 1924.

placed in the keeping of the Superintendent of Police, no person's name shall be added to the register, and no registration shall be cancelled, except by, or under an order in writing of, the District Magistrate.

(2) Before the name of any person is added to the register under this section, the Magistrate shall give notice in the prescribed manner to the person concerned-

(a) to appear before him or an authority appointed by him in this behalf at a time and place therein specified;

(b) to give to him or such authority such information as may be necessary to enable the entry to be made and

(c) to allow his finger-impressions to be recorded.

Complaints of entries in register.

Section 8 of Act VI of 1924

8. Any person deeming himself aggrieved by any entry made or proposed to be made, in such register, either when the register is first made or subsequently, may complain to the District Magistrate against such entry, and the Magistrate shall retain such person's name on the register, or enter it therein or erase it therefrom, as he may think fit.

Power to take finger impressions at any time.

Section 9 of Act VI of 1924

9. The District Magistrate or any officer empowered by him in this behalf may at any time order the finger-impressions of any registered member of a criminal tribe to be taken.

10. (1) The Government may, by

notification in the official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner,

Members of Criminal Tribes to report themselves or notify residence.

Section 10 of Act VI of 1924.

(a) report himself at fixed intervals;

(b) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

(2) Where a registered member of a criminal tribe in respect of which the government has issued a notificatio under Sub Section (1) changes his place of residence to a district other than that in which he has been registered, or is for the time being in any district other than that in which he ha been registered, the provisions of this regulation and of the rules made thereunder shall apply to him as if in pursuance of a direction made under Section 4 he had been registered in that district.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered, the relevant entry in the register shall be transferred to the Superintendent of Police

of that District.

RESTRICTION OF MOVEMENTS OF CRIMINAL TRIBES.

Procedure when deemed expedient to restrict movements of, or settle, criminal tribes.
Section 11 of Act III of 1911
" 11 of Regulation VII of 1916.

11. (1) If the Inspector-General of Police considers that it is expedient that any criminal tribe, or any part or member of a criminal tribe should be -

(a) restricted in its or his movements to any specified area, or

(b) settled in any place of residence, he may report the case for the orders of Government.

(2) Every such report shall state -

(i) the nature and the circumstances of the offences in which the members of the criminal tribe or part or the individual member, as the case may be, are or is believed to have been concerned, and the reasons for such belief;

(ii) Whether the criminal tribe, part or member follows any lawful occupation, and whether such occupation is in the opinion of the Inspector-General of Police, a real occupation, or merely a pretence for the purpose of facilitating the commission of crimes, and the grounds on which such opinion is based;

(iii) the suitability of the restriction area, or of the place

of residence, as the case may be, which it is proposed to specify in the notification; and

(iv) the manner in which it is proposed that the persons to be restricted or settled shall earn their living within the restriction area or in the place of residence, and the adequacy of the arrangements which are proposed therefor.

12. If, on consideration of any such report, the Government is satisfied that it is expedient that any such criminal tribe, or any part or member of such a criminal tribe, should be -

Power to restrict movements of, or settle, criminal tribes.

Section 12 of Act III of 1911
Section 12 of Regulation VII of 1916.
Section 11 of Act VI of 1924.

(a) restricted in its or his movements to any specified area, or

(b) settled in any place of residence, the Government may, by notification in the official Gazette, declare that such criminal tribe, part or member, as the case may be, shall be restricted in its or his movements to the area specified in the notification, or shall be settled in the place of residence so specified, as the case may be.

13. The Government may by a like notification vary the terms of any notification issued by it under

Power to vary specified area or place of residence.

Section 12 of Act VI of 1924

Section 12 for the purpose of specifying another restriction area or another place of residence, as the case may be, and the District Magistrate of a District, may, by order in writing, vary any notification made under Section 12 or under this Section for the purpose of specifying another restriction area, or, as the case may be, another place of residence, in the same district.

Verification of presence of members of tribe within prescribed area or place of residence.

ection 14 of Act VI of 192

14. Every registered member of a criminal tribe, whose movements have been restricted or who has been settled in a place of residence in pursuance of any notification under Section 12 or 13, shall attend at such place and at such time and before such person as may be prescribed in this behalf.

pplication of Regulation when criminal tribe is transferred from district to another.

ection 15 (clause 2) of Act VI of 192

15. If any criminal tribe, or any part of a criminal tribe, which has been registered under Section 4 in any district, or any member of such tribe or part, is restricted in its or his movement to an area, or is settled in a place of residence, situated in another district, the register or, as the case may be, the relevant entries or entry therein shall be transferred to the Superintendent of Police of the last mentioned District, and all the provisions of this Regulation and the rules made thereunder shall apply as if the criminal tribe or part had been registered in tha district, and the District Magistrate of that district shall have power to cancel

any exemption granted under Section 5.

SETTLEMENTS AND SCHOOLS.

16. The Government may establish industrial, agricultural or reformatory settlements and may order to be placed in any such settlement any criminal tribe, or any part or member of a criminal tribe, in respect of which or of whom a notification has been issued under Section 12:

Power to place tribe in settlement.
Section 16 of Act VI of 1924

Provided that no such order shall be made unless the necessity for making it has been established to the satisfaction of Government after an enquiry held by such authority and in such manner as may be prescribed.

17. (1) The Government may establish industrial, agricultural or reformatory schools for children, and may order to be separated and removed from their parents or guardians and to be placed in any such school or schools the children of members of any criminal tribe or part of a criminal tribe, in respect of which a notification has been issued under Section 12.

Power to place children in schools and to apprentice them.
Section 17 of Act VI of 1924.

For the purposes of this Section the term "Children" includes all persons under the age of eighteen and above the age of six years.

(3) The decision of the

District Magistrate as to the age of any person for the purposes of this section shall be final.

Power to discharge ortransferpersons from settlement or school.

Section 18 of Act VI of 1924.

18. The Government or any officer authorised by it in this behalf may at any time, by general or special order, direct any person who may be in any industrial, agricultural or reformatory settlement or school in the State

(a) to be discharged, or

(b) to be transferred to some other settlement or school in the State.

Tribe, gang or class declared criminal outside Mysore.

Section 19 of Regulation VII of 1916.

19. When any tribe, gang or class or any part thereof has been delcared as a criminal tribe outside Mysore, the Government may, by a notification in the Official Gazette declare that the provisions of Section 20 shall apply to such tribe, gang or class or any part thereof.

Procedure when any tribe or gang or class declared criminal under Section 19 is found in Mysore.

Section 20 of Regulation VI of 1916.

20 (1) No tribe, gang or class or any member thereof declared criminal under Section 19 shall enter Mysore without a written permit signed by the Inspector-General of Police.

(2) Any Police Officer not below the rank of an officer in charge of a Police Station may direct any person found in Mysore contrary to the provisions of sub-section (1) by a written order to leave Mysore within a week.

(3)Any person found in Mysore after the period provided for in sub-section

(2) shall be punished with imprisonment for a term which may extend to six months or with fine which may extend two hundred rupees or with both, and shall also be liable to be sent out of Mysore on the expiry of the sentence.

RULES.

21. (1) The Government may make rules to carry out the purposes and objects of this Regulation.

Power to make rules.

Section 20 of Act VI of 1924.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for or regulate -

(a) the form and contents of the register referred to in Section 4;

(b) the manner in which the notice referred to in Section 5 shall be published and the means by which the persons whom it concerns, and the village-headmen, village-watchmen and land owners and occupiers of the village in which such persons reside, and the agents of such land-owners or occupiers, shall be informed of its publication;

(c) the addition of names to the register and the erasure of names therein, and the mode in which the notice referred to in sub-

section (2) of Section 7 shall be given;

(d) the manner in which persons mentioned in Section 10 shall report themselves, or notify their residence or any change or intended change of residence, or any absence or intended absence:

e) the nature of the restrictions to be observed by persons whose movements have been restricted by notifications under Section 12 or Section 13;

(f) the cirsumstances in which members of a criminal tribe shall be required to possess and produce for inspectio certificates of identity, and the manner in which such certificates shall be granted;

g) the conditions as to holding passes under which persons may be permitted to leave the place in which they are settled or confined, or the area to which their movements are restricted;

h) the conditions to be inserted in any such pass in regard to -

(i) the places where the holder of the pass may go or reside;

(ii) the persons before whom,

from time to time, he shall be bound to present himself; and,

(iii) the time during which he may absent himself;

(i) the place and time at which, and the persons before whom, members of a criminal tribe shall attend in accofdance with the provisions of Section 14;

(j) the authority by whom and the manner in which the inquiry referred to in Section 16 shall be held;

(k) the inspection of the residences and villages of any criminal tribe;

(l) the terms upon which registered members of criminal tribes may be discharged from the operation of this Regulation;

(m) the management, control and supervision of industrial, agricultural or reformatory settlements and schools;

(n) the works on which, and the hours during which, persons placed in an industrial, agricultural or reformatory settlement shall be employed, the rate at which they shall be paid, and the disposal, for the benefit of such persons, of the surplus proceeds

of their labour;

(o) the discipline to which persons endeavouring to escape from any industrial, agricultural or reformatory settlement or school, or otherwise offending against the rules for the time being in force, shall be subject, the periodical visitation of such settlement or school and the removal from it of such persons as it shall seem expedient to remove; and

Clause (n) of Section 21 of Regulation VII of 1916

p) the manner in which the permits specified in Section 20 may be obtained and the conditions which may be entered in such permits with regard to

1) the place to which the holder of the permit may go or in which he may reside,

(2) the persons to whom he should report himself from time to time, and

(3) the period for which he may reside in Mysore.

PENALTIES AND PROCEDURE.

Penalties for failure to comply with terms of notice under Section 5 or Section 7

Section 21 of Act VI of 1924.

22. Whoever, being a member of a criminal tribe, without lawful excuse, the burden of proving which shall lie upon him, -

(a) fails to appear in compliance with a notice issued Section 5 or

7, or

(b) intentionally omits to furnish any information required under either of those sections, or

(c) when required to furnish information under either of those sections, furnishes as true any information which he knows or has reason to believe to be false, or

(d) refuses to allow his finger-impressions to be taken by any person acting under an order passed under Section 9, may be arrested without warrant, and shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Penalties for breach of rules.

Section 22 of Act VI of 1924

23. (1) Whoever, being a registered member of a criminal tribe, contravenes a rule made under Clauses (e), ~~and~~ clause (g) or Clause (h) of Section 21 shall be punishable with imprisonment for a term which may extend, -

(a) on a frist conviction, to one year,

(b) on a second conviction, to two years, and

(c) on any subsequent conviction, to three years, or with fine which may extend to five hundred rupees, or with both.

(2) Whoever, being a registered member of a criminal tribe, contravenes any other rule made under Section 21

shall be punishable, -

(a) on a first conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both; and

(b) on any subsequent conviction, with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

(3) Any person who commits or is reasonably suspected of having committed an offence made punishable by this Section which is not a cognizable offence as defined in the Code of Criminal Procedure, 1904, may be arrested without a warrant by any officer in charge of a Police-Station or by any Police-officer not below the rank of a Sub-Inspector.

by members of criminal tribe after previous conviction.

Section 23 of Act VI of 1924.

24. (1) Whoever, being a member of any criminal tribe and having been convicted of any of the offences under the Indian Penal Code specified in ~~the~~ Schedule I, is convicted of the same or of any other such offence shall, in the absence of special reasons to the contrary which shall be stated in the judgment of the Court, ~~sk~~ be punished,

(a) on a second conviction, with imprisonment for a term of not less than seven years, and

(b) on a third or any subsequent conviction, with ~~imprisonment~~ transportation for life;

Provided that not more than one of any such convictions which may have orrurred before the 14th day of December, 1916, shall be taken into account for the purposes of this sub-section.

next adopted from Act II of 192

(2) Nothing in this Section shall affect the liability of such person to any further or other punishment to which he may be liable under the Indian Penal Code or any other law.

Punishment for registered members of criminal tribe found under suspicious circumstances.

Section 24 of Act VI of 1924.

25. Whoever, being a registered member of any criminal tribe, is found in any place under such circumstances as to satisfy the Court, -

(a) that he was about to commit, or aid in the commission of, theft or robbery, or

(b) that he was waiting for an opportunity to commit theft or robbery,

shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.

Arrest of registered person found beyond prescribed limits.

Section 25 of Act VI of 1924.

26. (1) Whoever, being a registered member of a criminal tribe, -

(a) is found in any part of Mysore, beyond the area or place of residence, if any, to which his movements have been restricted or in

Power to deport certain criminal tribes to British India and to States in India.

ction 28A of Act VI of 1924.

made by the law of any province of British India, or any State in India for the restriction of the movements or the settlement in a place of residence of persons such as are referred to in Section 3, and for securing the welfare of persons so restricted or settled, may, with the consent of the Government of such Province, or State, direct the removal of to that Province or State of any Criminal tribe, or part of a criminal tribe, for the time being in Mysore, and may authorise the taking of all measures necessary to effect such removal:

rovided that no person shall be so removed if the Government is satisfied that he is a subject of His Highness the Maharaja.

8 B omitted

SUPPLEMENTAL.

Bar of jurisdiction of Courts in questions relating to certain notifications.

Section 29 of Act VI of 1924.

30. No Court shall question the validity of any notification issued under Section 3, Section 12, or Section 13, on the ground that the provisions hereinbefore contained or any of them have not been complied with, or shall entertain in any form whatever the question whether they have been complied with; but every such notification shall be conclusive proof that it has been issued in accordance with law.

31. The enactments mentioned in he second schedule are repealed to the extent specified in the fourth column

thereof :

Repeals.
Section 30 of Act VI of 1924.

Provided that any notification, order, rule, pass, form or register made or issued under any of the said Regulations, shall, so far as it is not inconsistent with the provisions of this Regulation, continue in force and be deemed to have been issued under the provisions of this Regulation, unless and until it is superceded by any notification, order, rule, pass, form or register made or issued under this Regulation.

Need saving clause

SCHEDULE I.

(see Section 24.)

Chapter XII.

Sections.

231 Counterfeiting coin.

232 Counterfeiting Queen's coin.

233 Making or selling instrument for counterfeiting coin.

234 Making or sellting instrument for counterfeiting Queen's coin.

235 Possession of instrument or material for the purpose of using the same for counterfeiting coin.

239 Delivery of coin, possessed with the knowledge that it is counterfiet.

240 Delivery of Queen's coin possessed with the knowledge that it is counterfeit.

242 Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.

243 Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.

Chapter XVI.

299 Culpable homicide.

307 Attempt to murder.

308 Attempt to commit culpable homicide

310 Being a thug.

322 Voluntarily causing grievous hurt.

324 Voluntarily causing hurt by dangerous weapons or means.

326 Voluntarily causing grievous hurt by dangerous weapons or means.

327 Voluntarily causing hurt to extort property or to constrain to an illegal act.

328 Causing hurt by means of poison, etc., with intent to commit an offence.

329 Voluntarily causing grievous hurt to extort property or to constrain to an illegal act.

332 Voluntarily causing hurt to deter public servant from his duty.

333 Voluntarily causing grievous hurt to deter public servant from his duty.

369 Kidnapping child under ten years with intent to steal from its person.

Chapter XVII

Sections.

382 Theft after preparation made for causing death, hurt or restrain. in order to the committing of the theft.

383 Extortion.

385 Putting person in fear of injury in order to commit extortion.

386 Extortion by putting a person in fear of death or grievous hurt.

387 Putting person in fear of death or of grievous hurt in order to commit extortion.

390 Robbery

391 Dacoity

393 Attempt to commit robbery

394 Voluntarily causing hurt in committing robbery.

397 Robbery or dacoity, with attempt to cause death or grievous hurt

398 Attempt to commit robbery or dacoity when armed with deadly weapons

399 Making preparation to commit dacoity

402 Assembling for purpose of committing dacoity.

457 Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.

458 Lurking house-trespass or house-breaking by night after preparation for hurt, assault or wrongful restraint.

459 Grievous hurt caused whilst committing lurking house-trespass or house-breaking.

460 All persons jointly concerned in lurking house-trespass or house-breaking by night punishable where death or grievous hurt caused by one of them.

Bill further to amend the Criminal Tribes Regulation, 1916.

Whereas it is expedient to further amend the Criminal Tribes Regulation, 1916, It is hereby enacted as follows:-

1. For section 10 of the Criminal Tribes Regulation, 1916 (hereinafter referred to as the said Regulation), the following section shall be substituted, namely :-

Criminal tribes to report themselves or notify residence.

10 (1) The Government may, by notification in the official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner,

(a) report himself at fixed intervals;

b) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

(2) Where a registered member of a criminal tribe in respect of which the Government has issued a notification under subsection (1) changes his place of residence to a district other than that in which he has been registered, or is for the time being in any district other than that in which he has been registered, the provisions of this Regulation and of the rules made thereund shall apply to him as if in pursuance of a direction made under section 4 he had been

been registered in that district.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered. the relevant entry in the register shall be transferred to the Superintendent of Police of that district.

2. The word "hereafter" occurring in subsection (1) of section 24 of the said Regulation shall be omitted and the following proviso be added after clause (b) of the said subsection:

"Provided that not more than one of any such convictions which may have occurred before the 14th day of December 1916 shall be taken into account for the purposes of this subsection."

Statement of Objects and Reasons.

28

The Criminal Tribes Regulation, VII of 1916, is based on the British Indian Act, III of 1911 as amended by Act X of 1914. The Act of 1911 was further amended by Act I of 1923 and the amendments therein were adopted in Mysore by Regulation X of 1925. The British Indian Act of 1911 has been replaced by Act VI of 1924 which has been subsequently amended by Act XXXIII of 1925.

The most important change made in British India is the addition made to section 10 by the amending Act of 1925. It provides for the automatic application of the Regulation and the rules made thereunder where a member of a Criminal Tribe, ~~the~~ in respect of which a notification has been issued ~~members of which have been directed~~ to ~~report themselves and to notify any changes of residence,~~ changes his residence to another district. It also provides for the transfer of the relevant entries in the register to the Superintendent of Police of the latter district.

The only other change of consequence brought about by the British Indian Act is in Section 23 which corresponds to section 24 of the Mysore Regulation intended to make the meaning of the expressions second conviction' and 'third conviction' appearing therein clear and free from doubt.

It is desirable to bring our Regulation into line with the law in British India. It is therefore proposed to amend Regulation VII of 1916 as in the accompanying Bill adopting the substantial changes made in the Act in British India ~~other than those of a purely verbal nature.~~

The Mysore Representative Assembly.

DASARA SESSION—SEPTEMBER-OCTOBER 1933.

STATEMENT OF GOVERNMENT BUSINESS TO BE PLACED BEFORE THE REPRESENTATIVE ASSEMBLY.

I. Statement of General Principles of the Bill to amend the Criminal Tribes Regulation VII of 1916.

The Criminal Tribes Regulation VII of 1916, is based on the British Indian Act III of 1911 as amended by Act X of 1914. The Act of 1911 was further amended by Act I of 1923 and the amendments therein were adopted in Mysore by Regulation X of 1925. The British Indian Act of 1911 has been replaced by Act VI of 1924 which has been subsequently amended by Act XXXIII of 1925.

The most important change made in British India is the addition made to section 10 by the amending Act of 1925. It provides for the automatic application of the Regulation and the rules made thereunder where a member of a Criminal Tribe, in respect of which a notification under section 10 has been issued changes his residence to another district. It also provides for the transfer of the relevant entries in the register to the Superintendent of Police of the latter district.

The only other change of consequence brought about by the British Indian Act is in section 23 which corresponds to section 24 of the Mysore Regulation intended to make the meaning of the expressions 'second conviction' and 'third conviction' appearing therein clear and free from doubt.

It is desirable to bring our Regulation into line with the law in British India. It is therefore proposed to amend Regulation VII of 1916, adopting the substantial changes made in the Act in British India.

II. Statement of General Principles of the Bill further to amend the Code of Criminal Procedure, 1904.

Sub-section 8 of section 526 of the Code of Criminal Procedure, 1904, as it stood prior to its amendment in 1927, provided that if, in any criminal case or appeal, before the commencement of the hearing, the Public Prosecutor, the complainant or the accused notified to the Court before which the case or appeal was pending, his intention to make an application to the High Court for transfer of the case or appeal, the Court should exercise the powers of postponement or adjournment given by section 344 in such a manner as would afford a reasonable time for the application being made and an order being obtained thereon, before the accused was called on for his defence, or, in the case of an appeal, before the hearing of the appeal. Regulation VI of 1927, amended the sub-section so as to provide that if an application for transfer is made at any time in the course of any inquiry or trial, or before the commencement of the hearing of any appeal, "the Court shall adjourn the case or postpone the appeal." It has been found that the practical working of this new procedure has lent itself to abuse and is calculated to defeat the ends of justice. If the accused notifies his intention to make an application to the High Court for transfer, the trial must be adjourned immediately. No discretion is given to the Court by the section. There is no limit to the number of such notifications which may be given during the course of any trial. Nor is there any obligation on the party who has notified his intention of moving the High Court to take any such action. The abuse of process which this sub-section makes possible has been pointedly referred to by Lort-Williams, J. in the case of Neamat Sha *vs.* Emperor (59 Calcutta 482). The abuse may obviously be aggravated to almost any extent,

where there is a joint trial, and each accused person is represented by a different pleader. In the hands of reckless and irresponsible parties the section might become a serious instrument of deliberate obstruction of justice and waste of public time, bringing the administration of the law into contempt. There was a general consensus of opinion among judicial authorities in British India that these provisions needed amendment and it was amended by Act XXI of 1932. The Judges of our High Court who were consulted recommend the adoption of the amendment made in British India. The Bill proposes to restrict this unlimited power of the accused to obtain adjournments, by providing that when once an accused has secured an adjournment the Court shall not be bound to adjourn on any subsequent intimation of an intention to apply for transfer made by that same party, and that where there are more than one accused, it shall not be possible for different accused by a series of successive intimations to secure a series of adjournments.

The Bill does not in any way affect the grounds on which criminal cases may be transferred as specified in sub-section (i) of section 526, nor does it affect the right of any person concerned to make an application for transfer to the High Court at any stage of any proceedings as provided for in sub-sections (3) and (4) of the section.

The proposed amendment does not also restrict the power of the Court to grant adjournments for any reasonable cause under section 344.

Sub-section (6 A) was inserted in the section by the same amending Regulation VI of 1927. It has been found difficult to assess the expenses reasonably incurred by the Government when it opposes an application for transfer inasmuch as the law officers of the Government are paid by salary and not by fees. To obviate this difficulty, sub-sections (5) and (6A) are proposed to be suitably amended.

Opportunity has also been taken for the substitution of the expression "Government Advocate" for the expression "Public Prosecutor" in sub-section (6) as there is no Public Prosecutor attached to the High Court in Mysore and it is the Government Advocate that represents Government in all criminal proceedings before the Hight Court

Bill further to amend the Criminal Tribes Regulation, 1916.

Whereas it is expedient to further amend the Criminal Tribes Regulation, 1916; It is hereby enacted as follows:-

Amendment of section 10.

1. For section 10 of the Criminal Tribes Regulation, 1916 (hereinafter referred to as the said Regulation), the following section shall be substituted, namely:-

Members of Criminal tribes to report themselves or notify residence.

10 (1) The Government may, by notification in the official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner,

(a) report himself at fixed intervals;

(b) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

(2) Where a registered member of a criminal tribe in respect of which the Government has issued a notification under subsection (1) changes his place of residence to a district other than that in which he has been registered, or is for the time being in any district other than that in which he has been registered, the provisions of this Regulation and of the rules made thereunder shall apply to him as if in pursuance of a direction made under section 4 he had been registered in that district.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered, the relevant entry in the register shall be transferred to the Superintendent of Police of that district."

Amendment of section 24.

2. The word "hereafter" occurring in subsection (1) of section 24 of the said Regulation shall be omitted and, the following proviso be added after clause (b) of the said sub-section:-

"Provided that not more than one of any such convictions which may have occurred before the 14th day of December 1916 be taken into account for the purposes of this sub-section."

NOTIFICATION.

No. 2390—*L.C., Bangalore, dated* 17*th October* 1933.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Criminal Tribes Regulation, 1916, is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary, Mysore Legislative Council.

Bill further to amend the Criminal Tribes Regulation, 1916.

Preamble.

Whereas it is expedient to further amend the Criminal Tribes Regulation, 1916; It is hereby enacted as follows:—

Amendment of section 10.

1. For section 10 of the Criminal Tribes Regulation, 1916 (hereinafter referred to as the said Regulation), the following section shall be substituted, namely:—

Members of Criminal tribes to report themselves or notify residence.

"10 (1) The Government may, by notification in the Official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner,

(*a*) report himself at fixed intervals;

(*b*) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

(2) Where a registered member of a criminal tribe in respect of which the Government has issued a notification under sub-section (1) changes his place of residence to a district other than that in which he has been registered, or is for the time being in any district other than that in which he has been registered, the provisions of this Regulation and of the rules made thereunder shall apply to him as if in pursuance of a direction made under section 4 he had been registered in that district.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered, the relevant entry in the register shall be transferred to the Superintendent of Police of that district."

Amendment of section 24.

2. The word "hereafter" occurring in sub-section (1) of section 24 of the said Regulation shall be omitted and the following proviso be added after clause (b) of the said sub-section :—

"Provided that not more than one of any such convictions which may have occurred before the 14th day of December 1916 shall be taken into account for the purposes of this sub-section.

STATEMENT OF OBJECTS AND REASONS.

The Criminal Tribes Regulation VII of 1916, is based on the British Indian Act III of 1911 as amended by Act X of 1914. The Act of 1911 was further amended by Act I of 1923 and the amendments therein were adopted in Mysore by Regulation X of 1925. The British Indian Act of 1911 has been replaced by Act VI of 1924 which has been subsequently amended by Act XXXIII of 1925.

The most important change made in British India is the addition made to Section 10 by the amending Act of 1925. It provides for the automatic application of the Regulation and the Rules made thereunder, where a member of a Criminal Tribe, in respect of which a notification under Section 10 has been issued changes his residence to another district. It also provides for the transfer of the relevant entries in the register to the Superintendent of Police of the latter district

The only other change of consequence brought about by the British Indian Act is in Section 23 which corresponds to Section 24 of the Mysore Regulation intended to make the meaning of the expressions 'second conviction' and 'third conviction' appearing therein clear and free from doubt.

It is desirable to bring our Regulation into line with the law in British India. It is therefore proposed to amend Regulation VII of 1916, adopting the substantial changes made in the Act in British India.

Appendix F G—1]

SUBJECT.....

.....

.....

Section Legs 25-33

File No. 135-32

Serial No. 1

Diary No. of letter replied to.....

No. Pol 419 Bus Two

To

The Secretary to

the Hon'ble the Resident

General and Revenue Secretariat

( )

the *193*

Sir,

I am directed

Date of issue 24:10:33

forward herewith five

copies of the Bill further

Signed by Mr. H. V. Ramaswamy

to amend the Criminal

Tribes Reg.n, 1916., to-gether

with the Statement of

Objects and Reasons

explaining the scope of

the measure and to state

that it is proposed to

List of enclosures.....

introduce the same at the

meeting of the Legislative

Copied by.....

Council to be held on

18th Dece 1933

Examined by.....

I have etc

WD 0253—GPB—15,000—26-8-32

Secy Govt Coun

No. Dated, Bangalore, 17th October 3

35

From

H. V. Ramasvami, Esq., M.A., B.L.,
General Secretary to the Government of H.H. the Maharaja of Mysore.

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

I am directed to forward herewith two copies of the Bill further to amend the Criminal Tribes Regulation, 1916, together with the statement of Objects and Reasons explaining the scope of the masure and to state that it is proposed to introduce the Bill at the meeting of the Legislative Council to be held on 18th December 1933.

I have the honor to be,
Sir,
Your most obedient servant,

General Secretary to Government

45 31/33
36 Pol. 52

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 10483

Legis 25-33 10/11/33

FROM

Major G. Kirkbride, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The General Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Dated, Bangalore, the 6 November *193*3.

Subject.

Bill further to amend the Mysore Criminal Tribes Regulation, 1916.

SIR,

I am directed to refer to your letter No.Pol.419/Legis. 135-32, dated the 23rd/24th October 1933, regarding the Bill mentioned above and to say that the Hon'ble the Resident does not see any prima facie objection to its introduction in the Mysore Legislative Council.

I have the honour to be,
Sir,
Your most obedient servant,

Major,
SECRETARY TO THE RESIDENT.

G. R. S. VI.—s-III/14

DRAFT.

SUBJECT.....

.....

.....

Section. [illegible]
File No. 23-32
Serial No. 3

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No. P 3192 / 2nd.

GENERAL AND REVENUE SECRETARIAT

Ordered that the accompanying [illegible] Translation [illegible] 1926, received the assent of His Highness the Maharaja, on the 29th day of December 1933 be published as Regulation No. XIV of 1933, in the *Mysore Gazette* for general information.

Date of issue... 6/1/34

Signed by... [signature]

Secretary to Government.

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated

(v) Placed at the disposal of the Press

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part (IV) III of the Gazette in English and Kannada and for supply of .....spare copies in English, and .....spare copies in Kannada to his office, and.....spare copies English and.....spare copies Kannada to the Curator, Government Central Book Depot, Bangalore. Proof should be sent to this office for approval before publication.

Enclosure No. XIV of 1933

NOTIFICATION

No. 2390—*L.C., Bangalore, dated* 17*th October* 1933.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Criminal Tribes Regulation, 1916, is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary, Mysore Legislative Council.

Received the assent of His Highness the Yuvaraja on the 12th day of December 1933.

Bill further to amend the Criminal Tribes Regulation, 1916.

Preamble. Whereas it is expedient to further amend the Criminal Tribes Regulation, 1916; It is hereby enacted as follows:

Amendment of section 10

1. For section 10 of the Criminal Tribes Regulation, 1916 (hereinafter referred to as the said Regulation), the following section shall be substituted, namely:—

Members of criminal tribes to report themselves or notify residence.

"10 (1) The Government may, by notification in the Official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner

(*a*) report himself at fixed intervals;

(*b*) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

(2) Where a registered member of a criminal tribe in respect of which the Government has issued a notification under sub-section (1) changes his place of residence to a district other than that in which he has been registered, or is for the time being in any district other than that in which he has been registered, the provisions of this Regulation and of the rules made thereunder shall apply to him as if in pursuance of a direction made under section 4 he had been registered in that district.

3) Where any such registered member changes his place of residence to a district other than that in which he has been registered, the relevant entry in the register shall be transferred to the Superintendent of Police of that district.'

Amendment of section 24.

2. The word "hereafter" occurring in sub-section (1) of section 24 of the said Regulation shall be omitted and the following proviso be added after clause (*b*) of the said sub-section:

Provided that not more than one of any such convictions which may have occurred before the 14th day of December 1916 shall be taken into account for the purposes of this sub-section."

STATEMENT OF OBJECTS AND REASONS.

The Criminal Tribes Regulation VII of 1916, is based on the British Indian Act III of 1911 as amended by Act X of 1914. The Act of 1911 was further amended by Act I of 1923 and the amendments therein were adopted in Mysore by Regulation X of 1925. The British Indian Act of 1911 has been replaced by Act VI of 1924 which has been subsequently amended by Act XXXIII of 1925.

The most important change made in British India is the addition made to Section 10 by the amending Act of 1925. It provides for the automatic application of the Regulation and the Rules made thereunder where a member of a Criminal Tribe, in respect of which a notification under Section 10 has been issued changes his residence to another district. It also provides for the transfer of the relevant entries in the register to the Superintendent of Police of the latter district.

The only other change of consequence brought about by the British Indian Act is in Section 23 which corresponds to Section 24 of the Mysore Regulation intended to make the meaning of the expressions 'second conviction' and 'third conviction' appearing therein clear and free from doubt.

It is desirable to bring our Regulation into line with the law in British India. It is therefore proposed to amend Regulation VII of 1916, adopting the substantial changes made in the Act in British India.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

~~exxxx~~

RDER NO.P.3192/Legis 25-33 Bangalore, 6th Jan. 1934.

Ordered that the accompanying Regulation further to mend the Criminal Tribes Regulation, 1916, which received the ssent of His Highness the Maharaja, on the 29th day of December 933, be published as Regulation No.XIV of 1933 in the Mysore azette for general information.

By General Secretary to Government.

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The Compiler, Mysore Gazeette for publication in Part IV f the Gazette in English and Kannada and for supply of spare opies in Englisn and Kannada as per standing orders.

Proofs should be sent to this office for approval before publication.

NOTIFICATION

Order No. P. 5192—Legis. 25-33-3, Bangalore, dated the 6th January 1934.

Ordered that the accompanying Regulation further to amend the Criminal Tribes Regulation, 1916, which received the assent of His Highness the Maharaja, on the 29th day of December 1933, be published as Regulation No. XIV of 1933, in the *Mysore Gazette* for general information.

By Order,
H. V RAMASVAMI,
General Secretary to Government.

REGULATION No. XIV OF 1933.

(Received the assent of His Highness the Maharaja on the 29th day of December 1933.)

A Regulation further to amend the Criminal Tribes Regulation, 1916.

Whereas it is expedient to further amend the Criminal Tribes Regulation, 1916; It is hereby enacted as follows:— Preamble.

1. For section 10 of the Criminal Tribes Regulation, 1916 (hereinafter referred to as the said Regulation), the following section shall be substituted, namely:— Amendment of section 10.

10 (1) The Government may, by notification in the Official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner,— Members of criminal tribes to report themselves or notify residence.

(*a*) report himself at fixed intervals

(*b*) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

(2) Where a registered member of a criminal tribe in respect of which the Government has issued a notification under sub-section (1) changes his place of residence to a district other than that in which he has been

registered, or is for the time being in any district other than that in which he has been registered, the provisions of this Regulation and of the rules made thereunder shall apply to him as if in pursuance of a direction made under section 4 he had been registered in that district.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered, the relevant entry in the register shall be transferred to the Superintendent of Police of that district."

Amendment of section 24.

2. The word "hereafter" occurring in sub-section (1) of section 24 of the said Regulation shall be omitted and the following proviso be added after clause (*b*) of the said sub-section:—

"Provided that not more than one of any such convictions which may have occurred before the 14th day of December 1916 shall be taken into account for the purposes of this sub-section."

MIRZA M. ISMAIL

Dewan.